

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

TOLL BROTHERS, INC.

Plaintiff,

vs.

CHANG SU-O LIN; HONG LIEN LIN; HONG  
YAO LIN,

Defendants.

No. C-08-0987 SC (MEJ)

**ORDER GRANTING DEFENDANTS'  
REQUEST FOR PRODUCTION OF  
PLAINTIFF'S FINANCIAL RECORDS**

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AND RELATED CROSS-ACTION.

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Before the Court is the parties' letter brief, filed January 29, 2009, relating to Defendants' request for discovery relief. (Dkt. #94.) Defendants seek an order compelling the production of Plaintiff's financial records concerning a purchase and sale agreement of real property. Defendants contend that Plaintiff's financial records are relevant to show motive. In response, Plaintiff contends its financial records are not relevant to its claims in this case.

On February 20, 2009, the Honorable Samuel Conti held a pretrial conference and ruled on certain motions *in limine*. (Dkt. #141.) Specific to this discovery dispute, Judge Conti ruled that motive was relevant to Defendants' claim that Plaintiff breached the covenant of good faith and fair dealing. Accordingly, pursuant to Judge Conti's ruling at the pretrial conference, the Court hereby GRANTS Defendants' request for the production of Plaintiff's financial records.

**IT IS SO ORDERED.**

Dated: March 3, 2009



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MARIA-ELENA JAMES  
United States Magistrate Judge